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6 *M.D.*

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 TRINA PARKER, as an individual;  
11  
12 Plaintiff,  
13  
14 vs.

15 DIGNITY HEALTH d/b/a ST. ROSE  
DOMINICAN HEALTH HOSPITAL-SIENA  
CAMPUS, as a Corporation; SCOTT R.  
FERGUSON, M.D., as an individual,  
16  
17 Defendants.

CASE NO. 2:18-cv-02291-CDS-VCF  
  
STIPULATION AND ORDER ON  
MOTIONS IN LIMINE

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1 IT IS HEREBY STIPULATED by the Parties through their undersigned counsel of  
2 record that the Court adopt the following Motions in Limine as agreed by the Parties.

3 FIRST, the Parties stipulate to preclude any witness from testifying who was not  
4 identified as a witness in the Third Supplemental Pre-trial Order. Further, the Parties  
5 stipulate to the exclusion of any evidence that was not identified in the Third  
6 Supplemental Pre-trial Order.

7 SECOND, the Parties stipulate to exclude evidence/argument regarding the cap  
8 on non-economic damages as to Defendant Dr. Ferguson.

9 THIRD, the Parties stipulate that treating providers cannot offer expert testimony  
10 regarding the standard of care, but may offer opinions formed at the time of their care and  
11 treatment of Plaintiff. Dr. Ferguson will testify that he met the standard of care and that his  
12 care and treatment did not cause Plaintiff's claimed injuries.

13 FOURTH, the Parties stipulate to the exclusion of evidence/reference to Dr.  
14 Ferguson's medical malpractice insurance and Plaintiff's health insurance.

15 FIFTH, the Parties stipulate that experts may testify at trial via remote/electronic  
16 means.

17 SIXTH, Plaintiff's expert Jonathan Burroughs, M.D. was disclosed as a rebuttal  
18 expert to St. Rose Hospital's expert Dr. Hyde. The parties stipulate that neither Dr.  
19 Ferguson or Plaintiff will call Dr. Hyde at trial. So long as Dr. Hyde does not testify at trial,  
20 Dr. Burroughs will not be called to testify at trial.

21 SEVENTH, Plaintiff's expert Joel Silberberg, M.D. was disclosed as a rebuttal  
22 expert to St. Rose Hospital's expert Dr. Arambula. The parties stipulate that neither Dr.  
23 Ferguson or Plaintiff will call Dr. Arambula as a witness at trial. So long as Dr. Arambula  
24 does not testify at trial, Dr. Silberberg will not be called to testify at trial.

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1           **STIPULATED AND AGREED TO:**

2   Dated: November 4, 2022

Dated: November 4, 2022

3   BRANDON L. PHILLIPS, ATTORNEY  
4   AT LAW, PLLC

LEWIS BRISBOIS BISGAARD & SMITH LLP

5   /s/ Brandon Phillips

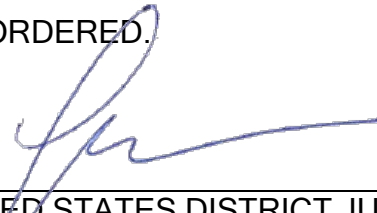
/s/ Keith Weaver

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11           **ORDER**

12           IT IS SO ORDERED.

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14           \_\_\_\_\_  
15           UNITED STATES DISTRICT JUDGE  
16           Dated: November 4, 2022